

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JERRY L. KASE,

Plaintiff,

v.

COLUMBIA COUNTY COURT, *et al.*,

Defendants.

No. 4:19-CV-01569

(Judge Brann)

(Magistrate Judge Saporito)

ORDER

SEPTEMBER 11, 2020

Plaintiff filed the instant action on September 11, 2019, and it was jointly assigned to the undersigned and to a magistrate judge. Upon designation, a magistrate judge may “conduct hearings, including evidentiary hearings, and . . . submit to a judge of the court proposed findings of fact and recommendations.”¹ Once filed, this report and recommendation is disseminated to the parties in the case who then have the opportunity to file written objections.²

On July 30, 2020, Magistrate Judge Joseph F. Saporito, Jr., to whom this matter is jointly assigned, issued a thorough report and recommendation.³ In sum, Magistrate Judge Saporito recommends that Plaintiff’s claims be dismissed and that this case be closed.⁴

¹ 28 U.S.C. 636(b)(1)(B).

² 28 U.S.C. 636(b)(1).

³ See Doc. 36.

⁴ See Doc. 36 at 12-13.

No objections to the report and recommendation have been filed. For portions of the report and recommendation to which no objection is made, the Court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”⁵ Regardless of whether timely objections are made by a party, the District Court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.⁶

Because I write solely for the parties, I will not restate the facts, but will instead adopt the recitation of facts as set forth by the magistrate judge. I have conducted a de novo review here and found no error.

AND NOW, IT IS HEREBY ORDERED that:

1. Magistrate Judge Joseph F. Saporito, Jr.’s July 30, 2020 Report and Recommendation, Doc. 36, is **ADOPTED in full**.
2. The motion to dismiss at Doc. 21 is **DENIED AS MOOT** with respect to non-party movant Judge Thomas A. James, Jr.
3. The motion to dismiss at Doc. 21 is **GRANTED** with respect to Defendant Columbia County Court of Common Pleas. All claims

⁵ Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (*citing Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that judges should give some review to every report and recommendation)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.

against that defendant are **DISMISSED** for lack of subject matter jurisdiction.

4. The remainder of Plaintiff's action is **DISMISSED** *sua sponte* for lack of subject matter jurisdiction.
5. The Clerk of Court is directed to **CLOSE** the case file.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge